

CONFIDENTIAL
Atty Dkt. No. STD 1716

REMARKS

Applicant thanks the Examiner for his assistance this afternoon in tracking the status of the PTO internal docket for this application. This second supplemental preliminary amendment is made consistent with our phone conference of today, and before any substantive action on the merits have been taken on this application.

Claims 1-50 are currently pending.

By this Amendment, new claims 51-71 are added consistent with the current pending claims. The new claims are consistent with the initially filed priority disclosure and no new matter has been added. The fee for the additional claims is charged via Amendment Transmittal Letter to our deposit account.

The newly added claims 51-71 further cover the actual displaying of the audiovisual presentation. These are consistent with the guidelines as set forth in the MPEP. See, for example, MPEP 608.01(o):

"The fact that the independent and dependent claims are in different statutory classes does not, in itself, render the latter improper. Thus, if claim 1 recites a specific product, a claim for the method of making the product of claim 1 in a particular manner would be a proper dependent claim since it could not be infringed without infringing claim 1. Similarly, if claim 1 recites a method of making a product, a claim for a product made by the method of claim 1 could be a proper dependent claim. On the other hand, if claim 1 recites a method of making a specified product, a claim to the product set forth in claim 1 would not be a proper dependent claim if the product might be made in other ways. Note, that although 37 CFR 1.75(c) requires the dependent claim to further limit a preceding claim, this rule does not apply to product-by-process claims." MPEP 608.01(o), Infringement Test, ¶6.

This is also consistent with the guidelines of the courts. See, for example:

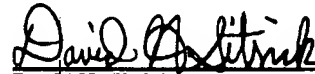
"In view of a decision of the CCPA, process claims should no longer be rejected on a theory that once the article or composition produced thereby is conceived, anyone skilled in the art would at once be aware of a method of making it. *In re Kuehl*, 177 USPQ 250 (1973)" Landis

Early and favorable consideration of the amended application is respectfully requested.

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Should the Examiner have any questions regarding the application, Applicant requests that he be notified by telephone at the location below.

Respectfully submitted,



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